

REMARKS

The Office Actions dated December 31, 2007 (December Office Action) and March 6, 2007 (March Office Action), have been fully considered. The present Response is intended to be a complete response thereto and to place the case in condition for allowance.

Applicant gratefully acknowledges the courtesy of an interview on June 26, 2007, in which Examiner Barts and Minh-Quan K. Pham discussed the outstanding rejection. In particular, the Examiner agreed to consider written description for the claims on page 5 of the specification and in the priority documents.

Claims 1-14 are pending. Claims 8-14 have been withdrawn.

THIS RESPONSE IS FULLY RESPONSIVE TO THE MARCH OFFICE ACTION

The December Office Action alleges that the reply filed on October 4, 2007, is not fully responsive to the March Office Action because applicant “has failed to properly submit the documents No. 1185/MUM/2003 and No. 1185/MUM/2003.” The Examiner also notes that “the documents, which were submitted in an amendment filed 7/4/07, were designated as amendments” because of the statement “This Amendment is filed in response to the Office Action mailed March 6, 2007.” Applicants respectfully submit that there was no amendment to the claims made in the response of July 4, 2007. Additionally, the documents filed with that response are noted as being “attached herewith for the Examiner’s convenience.” These documents are not submissions of certified priority documents and are not amendments. Applicants note that a certified copy of the Provisional Application No.1185/MUM/2003 (filed November 14, 2003) was submitted to the USPTO on December 2, 2005. Applicants also submit herewith a certified copy of the subsequent Complete Application No. 1185/MUM/2003 (filed

January 7, 2004). Nevertheless, Applicants file this Response to replace the response filed July 4, 2007, to be fully responsive to the outstanding Office Actions. The outstanding claims are those filed January 4, 2007.

THE CLAIMS CONTAIN PROPER WRITTEN DESCRIPTION

Claims 1-7 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicants respectfully traverse the rejection.

The Examiner alleges that “the phrase ‘extracting and washing the organic phase reaction product of step B at a pH of 7.0-8.0’ does not have support in the specification.” Applicants respectfully submit that the specification provides support for the washing mixture at a pH of 7.0-8.0, on page 5, lines 15-17, which states:

The organic phase is washed thrice by water. The pH of washing must be in the range of 7 to 8.

(emphasis added). Additionally, written description is also found in the priority documents which are incorporated by reference. The priority documents include 1) Provisional Patent Application No.1185/MUM/2003 filed on November 14, 2003 (a certified copy of which was submitted to the USPTO on December 2, 2005); and 2) subsequent Complete Application No.1185/MUM/2003 filed on January 7, 2004 (a certified copy of which is submitted herewith). Specifically, Examples 1-4 on pages 9-10 of the Complete Application No. 1185/MUM/2003, filed January 7, 2004, discloses:

At the end of reaction, the aqueous phase was separated and the organic phase was washed with water to bring pH in the range of 7-8.

(emphasis added). This clearly supports Applicants’ assertion that the organic mass being washed is at the pH of 7.0-8.0, not just the pH of the initial water. The pH recited in the claim

refers to the pH of the organic mass (the organic mass refers to the organic phase mixed with the washing water) or the pH of the resulting water coming out after washing, which is critical for attaining purity, as disclosed in the priority documents and on page 5 of the instant specification. Therefore, because written description is present in the specification and the claims, Applicants respectfully request withdrawal of the rejection.

CONCLUSION

Applicants have responded to the Office Actions mailed December 31, 2007, and March 6, 2007. All pending claims are now believed to be allowable and favorable action is respectfully requested.

In the event that there are any questions relating to this Response or to the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney concerning such questions so that the prosecution of this application may be expedited.

Please charge any shortage or credit any overpayment of fees to BLANK ROME LLP, Deposit Account No. 23-2185 (124907-00111). In the event that a petition for an extension of time is required to be submitted herewith and in the event that a separate petition does not accompany this response, Applicant hereby petitions under 37 C.F.R. 1.136(a) for an extension of time.

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U.S. Application Serial No.: 10/807,221
Attorney Docket No.: 124907-00111
Reply to Office Action of December 31, 2007

Any fees due are authorized above.

Date: 1/29/08

Respectfully submitted,

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